



DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES SECRET SERVICE  
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Act Program  
Communications Center  
245 Murray Lane, S.W., Building T-5  
Washington, D.C. 20223

Date: MAR 08 2019

MuckRock  
411A Highland Avenue  
Somerville, MA 02144-2516  
Attn: Waqas Mirza

File Number: 20161655

Dear Requester:

This is the final response to your Freedom of Information Act (FOIA) request, originally received by the United States Secret Service (Secret Service) on September 19, 2016, for information pertaining to copy of the current guidelines and policies for the use of 'Confidential Informants'.

Enclosed are documents responsive to your request. In an effort to provide you with the greatest degree of access authorized by law, we have considered this material under the FOIA statute, Title 5 U.S.C. § 552. Pursuant to this Act, exemptions have been applied where deemed appropriate. The exemptions cited are marked below.

In addition, approximately 2 pages are being released, and approximately 38 pages are partially being released. An enclosure to this letter explains the exemptions in more detail.

☒ If this box is checked, deletions were made pursuant to the exemptions indicated below.

**Section 552 (FOIA)**

<input type="checkbox"/> (b) (1)	<input type="checkbox"/> (b) (2)	<input type="checkbox"/> (b) (3) Statute:		
<input type="checkbox"/> (b) (4)	<input type="checkbox"/> (b) (5)	<input type="checkbox"/> (b) (6)	<input type="checkbox"/> (b) (7) (A)	<input type="checkbox"/> (b) (7) (B)
<input type="checkbox"/> (b) (7) (C)	<input type="checkbox"/> (b) (7) (D)	<input checked="" type="checkbox"/> (b) (7) (E)	<input type="checkbox"/> (b) (7) (F)	<input type="checkbox"/> (b) (8)

The following checked item(s) also apply to your request:

☒ Fees: In the processing of this FOIA request, no fees are being assessed.

☐ Other:

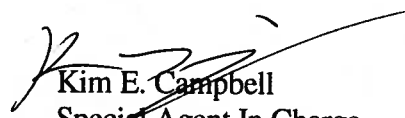
If you deem our decision an adverse determination, you may exercise your appeal rights. Should you wish to file an administrative appeal, your appeal should be made in writing and received within ninety (90) days of the date of this letter, by writing to: Freedom of Information Appeal, Deputy Director, U.S. Secret Service, Communications Center, 245 Murray Lane, S.W., Building T-5, Washington, D.C. 20223. If you choose to file an administrative appeal, please explain the basis of your appeal and reference the case number listed above.

Additionally, you have the right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Please note that contacting the Secret Service's FOIA Program and/or OGIS is **not** an alternative to filing an administrative appeal and **does not** stop the 90-day appeal clock. You may contact OGIS at: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001. You may also reach OGIS via e-mail at [ogis@nara.gov](mailto:ogis@nara.gov), telephone at 202-741-5770/toll free at (877) 684-6448, or facsimile at (202) 741-5769.

If you need any further assistance, or would like to discuss any aspect of your request, please contact FOIA Analyst, Ms. Cabbell, or our FOIA Public Liaison Kevin Tyrrell, at (202) 406-6370. Alternatively, you may send an e-mail to [foia@uss.s.dhs.gov](mailto:foia@uss.s.dhs.gov).

FOIA/PA File No. 20161655 is assigned to your request. Please refer to this file number in all future communication with this office.

Sincerely,



Kim E. Campbell  
Special Agent In Charge  
Freedom of Information Act & Privacy Act Officer

Enclosure:

☒ FOIA and Privacy Act Exemption List

**FREEDOM OF INFORMATION ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

**Provisions of the Freedom of Information Act do not apply to matter that are:**

- (b) (1) (A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b) (2) related solely to the internal personnel rules and practices any agency;
- (b) (3) specifically exempted from disclosure by statute (other than section 552b of this title), if that statute: (A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and (B) is established after the date of enactment of the OPEN FOIA Act of 2009;
- (b) (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b) (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency; provided that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested;
- (b) (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b) (7) records or information compiled for law enforcement purposes, but only to the extent that the information: (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b) (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for regulation or supervision of financial institutions;
- (b) (9) geological and geophysical information and data, including maps, concerning wells.

**PRIVACY ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a**

**The provisions of the Privacy Act do not apply to:**

- (d) (5) material compiled in reasonable anticipation of civil action or proceeding;
- (j) (2) material reporting investigative efforts pertaining to enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) material is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy;
- (k) (2) material compiled during investigations for law enforcement purposes;
- (k) (3) material maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of Title 18;
- (k) (5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or for access to classified information, but only to the extent that the disclosure of such material would reveal the identity of the person who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to the September 27, 1975, under an implied promise that the identity of the source would be held in confidence;
- (k) (6) testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process;

United States Secret Service  
Directives System

Manual : Investigative  
RO : ISD



Section : ISD-11  
Date : 02/18/2015

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**Subject:** Informants

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**To:** All Supervisors and All Manual Holders of the Investigative Manual

**Filing Instructions:**

- Remove and destroy section ISD-11, Informants, (dated 02/08/2013), in its entirety, and replace with the attached revised section.
- File this Policy Memorandum in front of this section.
- This directive is in effect until superseded.

**Impact Statement:** This directive has been updated to ensure compliancy with the Attorney General's guidelines regarding the use of confidential informants.

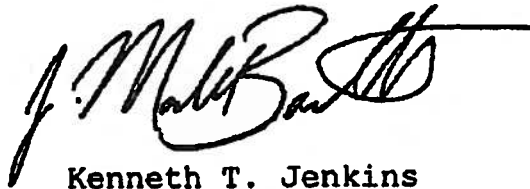
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**Mandatory Review:** The Responsible Office will review all policy contained in this section in its entirety by or before February, 2018.

Manual : Investigative  
RO : ISD

Section : ISD-11  
Date : 02/18/2015

Questions regarding this policy should be directed to the  
Investigative Support Division, at 202-406-5773.

A handwritten signature in black ink, appearing to read "K. T. Jenkins", with a stylized flourish extending from the end.

Kenneth T. Jenkins  
AD - Investigations

DCP#: I 2015-09

# INFORMANTS

The U.S. Secret Service (USSS) uses informants to assist in the investigation of criminal activity. The use of informants is a sensitive matter which requires special agents to associate with persons whose motivation and reliability may be suspect. In that regard, this investigative technique must be carefully controlled and monitored. The proper use of informants requires that individual rights not be infringed upon and that the Government itself does not become a violator of the law. It is imperative that USSS special agents conduct themselves within the parameters of ethical and legal law enforcement behavior.

## Definitions

### Cooperating Individual / Confidential Informant (CI)

A Cooperating Individual is an individual who provides information concerning criminal or other unlawful activity to a special agent and works under the direction and control of the special agent. U.S. military personnel and employees of law enforcement agencies who are working solely in their official capacity with the USSS do not qualify as cooperating individuals, but as a "Source of Information" (see below).

A Confidential Informant is a Cooperating Individual who has a reasonable expectation of confidentiality or anonymity.

### Source of Information (SI)

A Source of Information is an individual who provides information to a special agent concerning criminal activity as a result of legitimate employment or access to records or information, but not as a result of an association with persons of investigative interest. Unless specifically mentioned, the remainder of this policy does not apply to Sources of Information. See page 17 of this policy for additional information concerning the "Registration of Sources of Information."

## Noncriminal Informants

A Noncriminal Informant is any person who provides information as a result of association, directly or indirectly, with a person of noncriminal investigative interest (e.g., the subject of a background investigation or accident investigation). Therefore, the remainder of this policy, including the assignment of informant numbers, does not apply to Noncriminal Informants.

## Informants Database System

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## Field/Resident Office/Agency CI List

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(b)(7)(E)

(b)(7)(E)

## CI Registration

(b)(7)(E)

## Required Name Checks

### CI Name Check (NAME)

(b)(7)(E)



(b)(7)(E)

## Required Screens

### Personal History

(b)(7)(E)

(b)(7)(E)

### Criminal Checks

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

**Suitability Determination/Background**

(b)(7)(E)

(b)(7)(E)

**Registration Approval**

(b)(7)(E)

(b)(7)(E)

## Other Screens

### Address (ADDR)

(b)(7)(E)

### Aliases (ALIAS)

(b)(7)(E)

### Associations (ASSOC)

(b)(7)(E)

### Employers (EMPLY)

(b)(7)(E)

### Family Members (FAMILY)

(b)(7)(E)

### Phones (PHONE)

(b)(7)(E)

## Vehicles (VEHCL)

(b)(7)(E)

## CI Deactivation/Termination

(b)(7)(E)

(b)(7)(E)

## Deactivation

(b)(7)(E)

## Termination

(b)(7)(E)

(b)(7)(E)

### Deactivation/Termination Approval

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Once the CI's Deactivation/Termination screen has been established by the controlling agent or office personnel, the special agent will notify a field supervisor (GS-14 or higher) and request approval. The field supervisor will log into the (b)(7)(E) and review the deactivation/termination data compiled on the CI.

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### CI Semi-Annual Review

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### Semi-Annual Review Approval

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(b)(7)(E)

## Review of Confidential Informant Files

A mandatory office inspection of the field office CI files (700.050) will be completed every four years by the RES-Inspection Division to ensure all documentation is correct and up-to-date. This procedure will ensure all required documentation is properly maintained in the CI file payment logs and all documentation is properly updated. If there are any apparent or potential problems with the file, the SAIC of the office will be notified by the reviewing official.

### Photographs

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### Guidelines – Informant Suitability Determination

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## Registration of Confidential Informants/Cooperating Individuals

Register the Confidential Informant/Cooperating Individual [redacted] (b)(7)(E)  
using the electronic screens previously described. (Step-by-step instruction on the procedures required to  
register a CI may be found in the [redacted] (b)(7)(E))

## Confidential Informant Registration Worksheet –

(b)(7)(E)

(b)(7)(E)

## Instructions to Confidential Informants/Cooperating Individuals – { (b)(7)(E) } Agreement to Provide Information

(b)(7)(E)



## Safeguarding CI Information

Utmost caution must be used to conceal and protect the identity of the informant.

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## Registration of Sources of Information

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**An example of a Source of Information Record System follows:**

(b)(7)(E)

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## Confidential Informant

(b)(7)(E)

## Source of Information

(b)(7)(E)

## Rewards and Reimbursements

(b)(7)(E)

## Using Confidential Informants and Cooperating Individuals

SAs and supervisors must closely monitor and direct informants collecting and providing information to the USSS.

SAs should always attempt to be in the company of another law enforcement official when working with or interviewing an informant, especially if the informant is of the opposite gender. (b)(7)(E)

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## Approval Requirement

All USSS confidential informant operations must be pre-approved by a supervisor or, if required, by one of the applicable reviewing authorities detailed below. Any decision to approve a CI operation should take account of the following factors:

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## Approval for Non-Routine Undercover and Special Operations Involving Confidential Informants

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(b)(7)(E)

UORB approval is required for the following operations:

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## Approval for Sensitive Undercover Operations Involving Confidential Informants

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Sensitive circumstances are present if there is a reasonable expectation the undercover operation will involve:

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Manual : Investigative  
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Date : 02/18/2015

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Manual : Investigative  
RO : ISD

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Date : 02/18/2016

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## Debriefing of Confidential Informants/Cooperating Individuals

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(b)(7)(E)

## Untrustworthy Confidential Informants/Cooperating Individuals

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## Documenting Information Received from Confidential Informants

(b)(7)(E)



## Deactivation of Confidential Informants/Cooperating Individuals

(b)(7)(E)



## Continuing Suitability (Semi-Annual) Reviews

(b)(7)(E)



## Special Approval Requirements

### Prisoners, Supervised Releases, and Witness Security Participants

Consistent with Department of Justice/Homeland Security requirements, all federal law enforcement agencies must receive the approval of the Office of Enforcement Operations (OEO) prior to conducting any of the following activities:

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(b)(7)(E)



## Long-Term Confidential Informants

(b)(7)(E)

## Fugitives

No USSS special agent shall have communication with a current or former CI who is a fugitive. Unless: (i) if the communication is part of a legitimate effort by the agent to arrest the fugitive; or (ii) if approved, in advance whenever possible, by a senior field supervisor of any federal, state, or local law enforcement agency that has a wanted record for the individual in the NCIC and, in the case of a federal warrant by the U.S. Attorney's Office for the issuing District.

## Writing the Report

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(b)(7)(E)



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(b)(7)(E)

## **Exigent Circumstances**

It is possible that exigent circumstances may preclude the immediate implementation of the aforementioned policies. In this type of situation, it is imperative that a supervisor concur that circumstances require a temporary delay in the implementation of certain aspects of the Confidential Informant/Cooperating Individual policies.

Every effort should be made, as circumstances permit, to comply with the CI policies in the event of a delay.

## **Confidential Fund Approval and Expenditures for Confidential Informants and Cooperating Individuals**

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## Reimbursable Expenses

(b)(7)(E)

## Prohibition against Contingent Payments

(b)(7)(E)

## Approval for Single Payments

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(b)(7)(E)

**Approval for Aggregate Annual Payments**

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**Approval for Lifetime Aggregate Payments**

(b)(7)(E)



## Documentation of Payments

### Payments to Confidential Informants/Cooperating Individuals

(b)(7)(E)



## Request for Leniency

The situation is more complicated when a CI, who is also a defendant, requests some consideration of leniency in exchange for information.

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## Single Payments that are within Established Policy

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## Single Payments that Exceed the Established Limit

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(b)(7)(E)